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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/475,319	12/30/1999	BRIAN G. DUPERROUZEL	520044.403	6201
26119	7590	12/08/2003	EXAMINER	
KLARQUIST SPARKMAN LLP 121 S.W. SALMON STREET SUITE 1600 PORTLAND, OR 97204			NGUYEN, NHON D	
			ART UNIT	PAPER NUMBER
			2174	
DATE MAILED: 12/08/2003				

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/475,319	DUPERROUZEL ET AL	
	Examiner Nhon (Gary) D Nguyen	Art Unit 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 15 August 2003.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-7,9-19,21-33 and 35-43 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-7,9-19,21-33 and 35-43 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

- 13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
 - a) The translation of the foreign language provisional application has been received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>14, 17</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is responsive to Amendment B, filed 08/15/2003.
2. Claims 1-7, 9-19, 21-33, and 35-43 are pending in this application. Claims 1, 12, 25, 38, and 41 are independent claims. In the Amendment B, claims 8, 20, and 34 are canceled, claims 1, 2, 12, and 25 are amended, and claims 35-43 are added. This action is made final.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 4-7, 9-15, 18-19, 21-27, 30-33, and 35-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adams et al. ("Adams", US 6,237,030) in view of Staab (US 5,499,334).

As per independent claim 1 and claims 5 and 6, which are both dependent on claim 1, Adams teaches a display system, including a display screen, to display web pages accessible via a network (Abstract, lines 1-3), the display system comprising:

a computer system structured to request one or more web pages via the network (col.8, line 67; col.9, lines 1-4 and col.9, lines 36-39);
a display processor, responsive to display area controls associated with a display area on the display screen, to display the one or more web pages, the display area controls being

responsive to a user to select display area configuration settings of the display area to thereby select user-selected characteristics of the one or more web pages to display in the display area; and (controlled menu bar on the top of fig. 5, i.e. *File, Edit View, ... Options*);

. a storage area that associates the selected display area configuration settings indicating the user-selected characteristics of the one or more web pages displayed in the display area, with one or more addresses of the one or more web pages (col.4, lines 48-52);

Wherein the computer system is operable to use the stored display area configuration settings to cause the display area to display the one or more web pages received in response to a subsequent request for the one ore more web pages in accordance with the display area configuration settings indicating the user-selected characteristics and associated with the one or more addresses of the one or more web pages (col.11, lines 19-21).

However, Adams does not disclose the display area controls being responsive to a user to select display area configuration settings of the display area to thereby select characteristics to display, and a storage area that stores the selected display area configuration settings. Staab discloses the display area controls being responsive to a user to select display area configuration settings of the display area to thereby select characteristics to display (col. 3, lines 59-67 through col. 4, lines 1-36), and a storage area that stores the selected display area configuration settings (col. 4, lines 60-65 and col. 11, lines 56). It would have been obvious to an artisan at the time of the invention was made to use the teaching from Staab of the display area controls being responsive to a user to select display area configuration settings of the display area to thereby select characteristics to display, and a storage area that stores the selected display area

configuration settings in Adams's display system since it would allow the user to generate various display configurations.

As per claim 4, Adams teaches the display system wherein the display area controls include addressing controls, the addressing controls being structured to allow the user to store an address of the one or more web pages in the storage area for use during the subsequent request (col.4, lines 51-56).

As per claim 7, Adams teaches the display system wherein the display area controls include sizing controls, the sizing controls being structured to allow the user to change a size of the display area (col.6, lines 6-7). However, Adams dose not disclose the display system wherein the display area controls include sizing controls, the sizing controls being structured to allow the user to change a size of the display area and store the size as one of the display area configuration settings. Stabb discloses the display system wherein the display area controls include sizing controls, the sizing controls being structured to allow the user to change a size of the display area (col. 3, lines 67 through col. 4, lines 1-6 and col. 5, lines 30-39) and store the size as one of the display area configuration settings (col. 3, lines 59-67 through col. 4, lines 1-36 and col. 4, lines 60-65 and col. 11, lines 56). It would have been obvious to an artisan at the time of the invention was made to use the teaching from Staab of the display system wherein the display area controls include sizing controls, the sizing controls being structured to allow the user to change a size of the display area and store the size as one of the display area

configuration settings of Adams's display system since it would allow the user to generate various display configurations.

As per claim 9, Adams teaches the display system wherein the control information includes user-selected menu settings (col.5, lines 38-42).

Claims 10, 19 and 22 are individually similar in scope to claim 7, and are therefore rejected under similar rationale.

As per claim 11, Adams teaches the display system wherein the display processor automatically processes the stored display area configuration settings prior to displaying the user-selected characteristics of the one or more web pages (the last limitation paragraph of claim 1).

As per claims 12 and 15, the limitations contained therein have been previously addressed in claim 1, and are therefore rejected under similar rationale.

Claims 13-14 are similar in scope to claims 5-6 respectively, and are therefore rejected under similar rationale.

Claims 18 and 30 are individually similar in scope to claim 4, and are therefore rejected under similar rationale.

Claims 21 and 32 are individually similar in scope to claim 9, and are therefore rejected under similar rationale.

Claims 23, 27 and 33 are individually similar in scope to claim 11, and are therefore rejected under similar rationale.

As per claim 24, which is dependent on claim 12, Adams teaches the display system further comprising a plurality of display areas configured to simultaneously display a corresponding plurality of web pages in accordance with corresponding user-selected characteristics of the web pages, the display system further comprising:

a storage area storing display area configuration settings corresponding to each display area; and,

a display processor coupled to the storage area and structured to subsequently recall the stored display area configuration settings corresponding to each display area to simultaneously display the web pages in accordance with the user-selected characteristics of the web pages (col.11, lines 20-25).

As per independent claim 25, it is similar in scope to independent claim 1, and is therefore rejected under similar rationale.

As per claim 26, which is dependent on claim 25, it is similar in scope to claim 24, and is therefore rejected under similar rationale.

As per claim 31, which is dependent on claim 25, Adams teaches the method wherein requesting a web page comprises connecting to an Internet network (col.10, lines 61-65).

As per claim 35, which is dependent on claim 1, Adams teaches the display area controls include scrolling controls to allow the user to display a user-selected portion of the web page, the scrolling controls having position settings corresponding to a coordinate position within the displayed portion of the web page, the position settings being included in the display area configuration settings (the scrolling control of fig. 5).

As per claim 36, which is dependent on claim 12, it is a similar scope to claim 35; therefore, it is rejected under the same rationale.

As per claim 37, which is dependent on claim 25, Adams teaches displaying the web page comprises using scrolling controls to select the user-selected portion of the requested web page (the scrolling control of fig. 5).

As per independent claim 38, it is rejected under the same rationale as claim 1.

As per claim 39, it is inherent in Adams' system to have a computer-readable medium comprising computer-executable instructions for performing the method of claim 38.

As per claim 40, which is dependent on claim 38, Adams teaches the display area configuration settings indicate a user-selected scroll position for each of the web pages (the scrolling control of fig. 5 will indicate the user-selected scroll position for each of the web pages, e.g. web pages in fig. 6).

As per independent claim 41, it is rejected under the same rationale as claim 1.

As per claim 42, which is dependent on claim 41, it is a similar scope to claim 39; therefore, it is rejected under the same rationale.

As per claim 43, which is dependent on claim 41, it is a similar scope to claim 40; therefore, it is rejected under the same rationale.

5. Claims 2, 8, 16, 20, 28, and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adams et al. ("Adams", US 6,237,030) in view of Staab (US 5,499,334) as applied to claims 1, 12, and 25 and further in view of Morimura et al ("Morimura" US 6,072,474).

As per claim 2, which is dependent on claim 1, modified Adams does not disclose the display area controls to include positioning controls being structured to allow the user to select positioning settings of the display area configuration settings to thereby select a user-selected

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portion of one or more of the web pages as the user-selected characteristics of the one or more web pages. Morimura discloses that in col. 20, lines 42-67 through col. 21, lines 1-3. It would have been obvious to an artisan at the time of the invention to use the teaching from Morimura of the display area controls to include positioning controls being structured to allow the user to select positioning settings of the display area configuration settings to thereby select a user-selected portion of the display in Adams's web page display system since it would provide more efficiency by reducing the time the user would take to return to the state at which the user left off.

Claims 16 and 28 are individually similar in scope to claim 2, and are therefore rejected under similar rationale.

6. Claims 3, 17, and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adams et al. ("Adams", US 6,237,030) in view of Staab (US 5,499,334) as applied to claims 1, 12, and 25 and further in view of Matthews, III et al. ("Matthews", US 6,344,865).

As per claim 3, which is dependent on claim 1, modified Adams teaches the display of web pages in response to display area controls associated with user-selected characteristics. However, Adams fails to teach the display area controls to include screen resolution controls to adjust screen resolution settings of the display area configuration settings to thereby a screen resolution of the display screen. Matthews teaches the adjustment of the screen resolution of a display screen (col. 11, lines 14-15). It would have been obvious to an artisan at the time of the

invention to include Matthews teaching with Adams display system to adjust the display area to accommodate to the user's viewing level and/or preference.

Claims 17 and 29 are individually similar in scope to claim 3, and are therefore rejected under similar rationale.

Response to Arguments

7. Applicant's arguments filed 08/15/2003 have been fully considered but they are not persuasive.

Applicants argued the followings:

(a) Adams does describe a group of web pages can be displayed concurrently; however, Adams is silent regarding "user-selected characteristic".

(b) Staab does describe that the user can modify desktop configurations and then revert to the saved desktop configurations. However, Staab does not describe applying its technology to web pages as recited.

(c) The Action states that it would have been obvious to use the teaching from Staab in Adams because "it would allow the user to generate various display configurations". However, Applicants note that neither Adams nor Staab so state. Thus, the motivation to combine originates in impermissible hindsight.

(d) Even if Adams were combined with Staab so that Adam's bookmark feature worked within Staab's TopDesk system, the references are silent on how to modify the bookmark feature

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so that it would include displaying web pages from a subsequent request in accordance with setting indicating user-select characteristics.

(e) Applicants cannot find in either reference a teaching or suggestion that configuration settings as recited are associated with addresses of web pages. So, even if Adams were combined with Staab, the bookmark feature in combination with the TopDesk system would not result in the claimed arrangement.

(f) Morimura and Matthews also lack the recited arrangement or sufficient motivation to modify the described systems to result in the claimed arrangement.

(g) Independent claims 12 and 25 have been amended to more clearly point out the claimed subject matter. The relied on art does not teach or suggest such an arrangement.

The Examiner disagrees for the following reasons:

(a) Adams teaches the user is allowed to alter the screen size of the displayed sub windows containing web pages (col. 12, lines 15-17); however, he does not disclose in detail “the display area controls being responsive to a user to select display area configuration settings of the display area to thereby select user-selected characteristics of the one or more web pages to display in the display area”. Staab is used as a secondary reference to disclose that in col. 3, line 59 through col. 4, line 36.

(b) Staab’s reference is applied to desktop configuration of windows. Web pages are also the windows displayed in a desktop; therefore Staab’s technology could very well be applied to web pages.

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(c) In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

In this case, It would have been obvious to an artisan at the time of the invention was made to use the teaching from Staab of the display area controls being responsive to a user to select display area configuration settings of the display area to thereby select characteristics to display, and a storage area that stores the selected display area configuration settings in Adams's display system since it would allow the user to generate various display configurations.

(d) Staab is used, in combination with Adams, to teach modifying the configuration settings of Adams' web-page windows, not modifying the bookmark feature. After using the TopDesk of Staab to modify the configuration settings of Adams' requested web pages and save it, the user can request the saved configuration settings, from Staab's TopDesk, to display Adams' requested web pages in accordance with the configuration settings indicating user-select characteristics.

(e) Since Adams' requested web pages are associated with URL addresses, Staab's configuration settings on Adams' web pages do teach the association with addresses of web pages. Staab is used, in combination with Adams, to teach modifying the configuration settings of Adams' web-page windows, not modifying the bookmark feature.

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(f) In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

In this case, Morimura is used as a secondary reference, in combination with Adams in view of Staab, to teach the display area controls to include positioning controls being structured to allow the user to select positioning settings of the display area configuration settings to thereby select a user-selected portion of the display (col. 20, lines 42-67 through col. 21, lines 1-3). It would have been obvious to an artisan at the time of the invention to use the teaching from Morimura of the display area controls to include positioning controls being structured to allow the user to select positioning settings of the display area configuration settings to thereby select a user-selected portion of the display in Adams's web page display system since it would provide more efficiency by reducing the time the user would take to return to the state at which the user left off.

Matthews is used as a secondary reference, in combination with Adams in view of Staab, to teach the adjustment of the screen resolution of a display screen (col. 11, lines 14-15). It would have been obvious to an artisan at the time of the invention to include Matthews teaching with Adams display system to adjust the display area to accommodate to the user's viewing level and/or preference.

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(g) Claims 12 and 25 are rejected under the same rationale as claim 1, which are addressed in the items from (a) through (f) above.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Inquiries

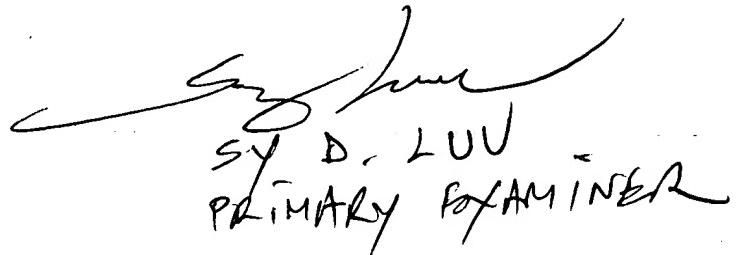
9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nhon (Gary) D Nguyen whose telephone number is 703-305-8318. The examiner can normally be reached on Monday - Friday from 8 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L Kincaid can be reached on 703-308-0640. The fax phone number for the organization where this application or proceeding is assigned is 703-746-7239.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Nhon (Gary) Nguyen
November 14, 2003


SY D. LUU
PRIMARY EXAMINER